

REMARKS

REJECTIONS UNDER 35 U.S.C. § 112

Claims 54-56 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 54-56 have been canceled. Therefore, the rejection of these claims is moot.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 32-33, 40-41, 43, and 49-50

Claims 32-33, 40-41, 43, and 49-50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,522,880 issued to Verma et al. (*Verma*) in view of U.S. Patent Publication No. 2002/0174194 attributed to Mooney et al. (*Mooney*). Applicant submits, however, that the subject matter of claims 32-33, 40-41, 43, and 49-50 would not have been obvious to one of ordinary skill in the art in light of *Verma* combined with *Mooney* because *Mooney* represents non-analogous art. The inventions of claims 32-33, 40-41, 43, and 49-50 relate to wireless communication systems, as stated at p. 1, line 6 of Applicant's written specification. *Mooney*, on the other hand, relates to web-based email/message accounts, an unrelated field of technical art. *Mooney*, page 1, [0001]. One of ordinary skill in the art of wireless communication systems would not have had knowledge relating to the providing of access to message accounts from a single web-based interface. Furthermore, the problems in the art of wireless communication systems addressed by Applicant's inventions bear no rational relation to those addressed in *Mooney* so that one of ordinary skill in the art of wireless communication systems would not have been drawn to the *Mooney* reference for possible solutions.

Given that *Mooney* represents a field of art that is not analogous to that of Applicant's inventions, "a person having ordinary skill in the art to which [the invention] pertains" (35 U.S.C. § 103) would not have been familiar with nor looked to *Mooney* when addressing problems in the field of network devices. Therefore, Applicant submits that *Verma* and *Mooney* do not jointly render claims 32-33, 40-41, 43, 49-50, 52 and 54-57 obvious.

Even in the unlikely event that *Mooney* could be considered to represent a field of art analogous to that of Applicant's inventions, the combination of *Verma* with *Mooney* fails to teach or suggest every element of claims 32-33, 40-41, 43, 49-50, 52 and 54-57. For example, claim 32 recites, in part, the following:

generating, if the received request is a request for a new session, a communication session identifier that uniquely identifies the session and accompanies the subscriber unit's access through any of a plurality of basestations.

Claims 40 and 49 recite similar limitations.

The Office action states that *Verma* teaches the feature of assigning a session ID to each communication session that uniquely identifies the session and accompanies the subscriber unit's access through any of a plurality of basestations. The cited portion of *Verma* discusses assigning a session ID value to each call session. See column 4, lines 8-11. However, *Verma* does not teach or disclose that the session identifier accompanies the subscriber unit's access through any of a plurality of basestations. In fact, the cited portion of *Verma* later states that when a client moves out of the service area for one tunnel and into a service area for a different tunnel, the PPP session is lost and a *new* call session must be created. See column 5, lines 43-53. Thus, Applicant submits *Verma* fails to disclose at least one limitation of claims 32, 40, and 49.

Mooney is also cited as teaching a communication session identifier that uniquely identifies the session and accompanies the subscriber unit's access through any of a plurality of

basestations. The cited portion of *Mooney* discusses session IDs, but not in the context of wireless communications. Specifically, *Mooney* does not teach or disclose a communication session identifier that uniquely identifies the session and accompanies the subscriber unit's access through any of a plurality of basestations. Thus, *Mooney* fails to cure the deficiencies of *Verma*. Therefore, Applicant submits claims 32, 40, and 49 are not obvious in view of *Verma* and *Mooney*.

Claim 33 depends from claim 32. Claims 41 and 43 depend from claim 40. Claim 50 depends from claim 49. Given that dependent claims necessarily include the limitation of the claims from which they depend, Applicant submits claims 33, 41, 43, and 50 are not obvious in view of *Verma* and *Mooney* for at least the reasons described above.

Claims 52 and 54-57

Claims 52 and 54-57 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over *Verma* and *Mooney*. Claims 54-56 have been canceled. Therefore, the rejection of these claims is moot. Applicant submits that claims 52 and 57 are not obvious in view of *Verma* and *Mooney* given that *Mooney* represents non-analogous art, as discussed above. Additionally, in the unlikely event that *Mooney* does represent analogous art, Applicant respectfully submits claims 52 and 57 are not obvious in view of *Verma* and *Mooney* for at least the reasons set forth below.

Claim 52 recites, in part, handing over an existing communication session to the first basestation from a second basestation if a recognized session ID is included in the request. The cited portions of *Verma* and *Mooney* do not teach or suggest handing over an existing communication session to the first basestation from a second basestation if a recognized session

ID is included in the request. Thus, Applicant submits claim 52 is not obvious in view of *Verma* and *Mooney*. Claim 57 depends from claim 52 and distinguishes for at least the same reasons.

Dependent Claims 34-39, 42, 44-48, 53, and 58

Claims 34-39, 42, 44-48, 53 and 58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Verma* and *Mooney*, and further in view of various other cited references: specifically, claims 34, 44 and 58 in view of U.S. Patent Publication No. 2001/0053694 attributed to Igarashi (*Igarashi*); claims 35-39 in view of U.S. Patent Publication No. 2003/0012149 attributed to Maggenti et al. (*Maggenti*) and further in view of U.S. Patent No. 6,006,266 issued to Murphy, Jr. et al. (*Murphy*); claims 42, 45-48 and 53 in view of *Maggenti*. Applicant notes that the examination of the claimed invention and the application of these numerous references is a significant task; Applicant thanks the Examiner for the thorough examination and the thorough analysis of the references.

Applicant respectfully submits that these claims are not rendered obvious by the cited references for at least the following reasons. Each of the rejections made above is based on the application of *Verma* and *Mooney*, shown above to be defective with respect to the independent claims 32, 40, 49 and 52 from which each of the above-listed dependent claims depends. The cited references do not cure the deficiencies of *Verma* and *Mooney* noted above with respect to the independent claims. Applicants respectfully submit that a *prima facie* case of obviousness under MPEP § 2143 has not been established with respect to independent claims 32, 40, 49 and 52, at least for failing to establish that the cited references disclose every element of the claimed invention. Because the independent claims are nonobvious, the dependent claims are also nonobvious. See MPEP § 2143.03.

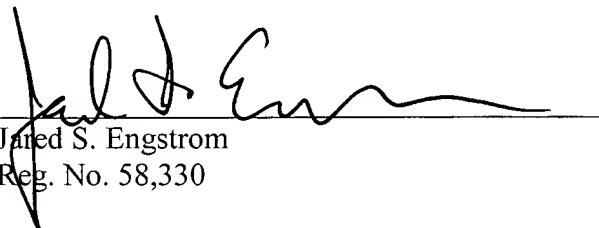
CONCLUSION

For at least the foregoing reasons, Applicant submits that claims 32-53 and 57-58 contain allowable subject matter and are in condition for allowance. Such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: 3/14/06



Jared S. Engstrom
Reg. No. 58,330

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(503) 684-6200